#### COMMISSION ON MENTAL HEALTH AND DEVELOPMENTAL SERVICES

# THURSDAY, MARCH 15, 2001 10:00 AM

# MEETING LOCATION: ATTORNEY GENERAL'S OFFICE 100 N. CARSON ST., CARSON CITY, NEVADA

#### NO CONFERENCE PHONE ACCESS AVAILABLE

#### MINUTES

PRESENT: Frances Brown, MSN, MSEd, RN, Chair

David Ward, Vice Chair Eric C. Albers, Ph.D. Rena Nora, M.D. John Brailsford, Ph.D.

ABSENT: Joseph Toth, M.D.

Elizabeth Richitt, Ph.D.

STAFF Cindy Pyzel, Sr. DAG

PRESENT: Carlos Brandenburg, Administrator, MHDS

ALSO Jack Mayes, NDALC PRESENT: Jim Vilt, NDALC

#### **CALL TO ORDER**

Chair Fran Brown called the meeting to order.

#### INTRODUCTIONS

Fran Brown asked for introductions by those present.

#### ABSENCE OF DR. JOSEPH TOTH

Dr. Carlos Brandenburg reported that Dr. Joseph Toth had called and stated that he did not want to resign his position on the Commission. He explained that three pediatric practices had closed in the area and he was extremely busy. Dr. Toth stated he wanted to be a member and would try to make it to Las Vegas for the meeting in May.

Dr. Eric Albers stated that he had trouble with that, stating it was a continuation of an ongoing saga of missing so many meetings. Dr. John Brailsford also felt Dr. Toth had too many absences, stating that the Commission should follow through with the message in the letter. Mr. David Ward felt an attempt to attend a meeting was not enough and stated that he did not think Dr. Toth would show up for the May meeting. He further stated that the reason the Commission issued the friendly ultimatum was due to the length of time required to fill a vacancy. Even if Dr. Toth attended in May, he would be too uninformed to be effective. He also reminded the Commission that Dr. Toth's term ended in June. Dr. Rena Nora recommended the process to replace him begin, as she felt it would be a difficult

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position to fill. Mr. Ward felt the Commission might do better to look for a recently retired physician. Dr. Nora expressed her concern that a retired physician may not keep himself updated on the pulse. **ACTION:** Mr. Ward stated he would like to talk with Dr. Gerardo Rodriguez, who works with lots of mentally retarded kids. Dr. Brandenburg suggested the Commission ask all of their peers for recommendations, as well.

Ms. Cindy Pyzel suggested the Commission choose local physicians who are on the local governing boards, to help defray the high costs associated with meetings. Dr. Brandenburg stated that videoconferencing capabilities should be considered.

#### **VACANT POSITION**

Dr. Brandenburg reported that he submitted the nominees to the Governor for his consideration in filling the vacant member-at-large position on the Commission. He expressed his hope that the Governor would reply soon.

**ACTION:** Dr. Brandenburg will write a letter to the Board of Medicine requesting them to submit three nominees for consideration for Dr. Toth's position on the Commission. He also stated that the Governor's stand was to rotate members on the Commission so as not to let someone serve more than 10 years.

Dr. Brandenburg will also request that the Board of Examiners nominate a retired physician or someone from the UNSOM for consideration. Ms. Brown will contact the Dean of the School of Medicine for the name of a physician.

## **BYLAWS REVISIONS**

**ACTION:** The Commissioners discussed the bylaws page-by-page. All revisions will be made by Ms. Pyzel and submitted at the next commission meeting.

## **MENTAL HEALTH COURT**

Ms. Pyzel stated that Judge Breen convened a meeting last December, regarding mental health courts. The Judge wanted the pilot project to be housed in Washoe County, as the numbers would be more manageable. Mr. David Spitzer is helping the Judge, who is interested in doing more than just putting people behind bars. She reported that a bill draft was in the works and that she would forward a copy to the Commission when it became available. They are still trying to set up jurisdiction and are reviewing four different models. These different models consider the different types of people they serve. Washoe County would serve a broad group, with a drug court model. This does not alleviate the charge; it considers the idea that certain people need a higher level of coaching to succeed in the community. The Judge is looking to put together a team with a social worker included as part of the team. Admission to mental health court would be on a voluntary basis, if you are successful in completion, the court sees it as benevolent assistance for those who can't make it on their own. The Judge is interested in having a product he could give to other judges and to present to the Legislature. He is looking for financial support from the city, Washoe county, state and housing and treatment options. Hospitalization as a result of non-compliance is not an option.

Dr. Albers stated that since there were drug courts already, he was wondering why they couldn't be integrated. He stated that many persons in the drug courts have co-occurring disorders.

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Ms. Pyzel stated that the court wanted to have different mechanism for dealing with those with mental illness. She stated it was Judge Breen's wish not to treat them isolatedly, but with co-occurring treatment. She further stated that the projected impact was unknown. The project is asking for \$500,000 for housing. The idea is to get these people stabilized in the community. She reminded the Commissioners that Judge Breen and Judge McGee already operate courts for problem solving.

Dr. Brailsford stated that it would still be a savings when compared to prison.

Dr. Nora commented on the fast tracking of the project. She felt they were trying to expedite the unique services, with periodic and frequent review of the court system.

Mr. Ward felt Judge Breen sees the benevolent use of the court's power to impose treatment on people who may not seek it on their own. He saw it as helping them help themselves against their will. Rosetta Johnson's summit, "Decriminalization of the Mentally III," stressed that the courts must quit locking up the mentally ill and work on getting them the services they need. The District Attorney's perspective is opposed to anything that has to do with felonies, because suddenly every felon, in order to circumvent prosecution, will fain mental illness. Judge Breen would like to include certain kinds of felonies in this program.

Ms. Pyzel stated that an absolute carve out from this program is domestic violence. It is totally off limits, and to gain access for the mental health court was strictly through DA approval.

Mr. Ward felt Ms. Pyzel's perspective was very valuable to the Commission and that he was looking forward to seeing the pilot program operate. He also stated that he felt it would be a real opportunity to discuss the Commission's concern with respect to bifurcation. Dr. Brailsford stated he foresaw a problem with the courts dictating treatment. Ms. Pyzel said another feature that would help towards melding both was that the same players were involved in the two courts. She also stated that this was a brand new wave, rather like a social experiment. There are existing models, however, the models are not more that four years old.

Mr. Jack Mayes stated that NDALC forced the issue that defined criteria for institutionalization. He stated it got folks out of facilities, but did not move the money to communities where these people have gone. He further stated that the definition, when someone can be hospitalized or medicated against his or her will, most people won't buy into the mechanism of it. It is like going to criminal commitment and he was troubled by the fact that they must do it through the courts. It is time-limited and these mentally ill people will need help for the rest of their lives.

Dr. Albers expressed concern that the courts would begin acting as if they are mental health professionals, which they are not.

Dr. Nora commented that one population was not being addressed; the sex offenders and pedophiles. She stated her concern that this was only a band-aid.

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Ms. Pyzel stated that the issues were huge. See sees the mental health court as something that will spark debate, but that will help people with mental illness. She stated that we should not let courts practice mental health without a license. The linkage with researchers to plug in data and outcomes,

Mr. Ward recommended that it be added to the curriculum to national judicial colleges.

Ms. Brown shared an article regarding congressional grants for mental health courts. She further stated that Ms. Sheila Leslie was grant savvy and very interested in tapping into grant monies.

Dr. Brailsford asked about the turnaround time in getting a grant writer. Mr. Ward responded that the only one who could initiate bill drafts is a committee chair and that the only way we could do that is with a powerful legislator. He recommended this be discussed with Senator Townsend and Assemblywoman Sheila Leslie later in the day.

#### **MEETING DATES FOR FY 02**

There was a brief discussion regarding the Commission's responsibilities, as well as the subcommittees and mechanism for them to meet. It was recommended that subcommittees could meet one hour before the local governing bodies every two to three months. It was decided that the Commission should have six meetings yearly, with a two-day meeting in October, alternating between the North and the South.

**MOTION:** Dr. Albers made a motion to meet as a full commission six times per year. The following dates were agreed upon, however the dates would be formally voted upon at the next meeting. All meetings will begin at 9:00 AM.

June 29, 2001 at SRC
August 24, 2001 at SNAMHS
October 11 and 12, 2001 at NMHI
December 7, 2001 at DRC
February 8, 2002 at SRC
April 19, 2002 at SNAMHS
June 14, 2002 at NMHI

**ACTION:** Subcommittee meeting dates will be deferred until the next meeting, but it was recommended that the Commissioners show up one hour early for each local governing board.

**ACTION:** The Commission will vote on the above-recommended Commission meeting dates at the May meeting, giving each Commissioner the opportunity to check their 2001 and 2002 calendars.

## **ADVISORY BOARDS**

**ACTION:** Ms. Brown said that she would send a letter to the advisory boards detailing the Commission's support. Since there are bylaws for the advisory boards, she will request that they review and submit their bylaws to the Commission.

## FORMULARY AND MEDICATION TREATMENT IN JAILS/PRISONS

This item was deferred to the 3/16/01 meeting under Department of Prisons.

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## TRANSITION FOR ADOLESCENTS

This item was deferred to the 3/16/01 meeting under DCFS' report.

## **ROUNDTABLE DISCUSSION**

This item was deferred to the 3/16/01 meeting.

The Commissioners were invited to meet with Senator Townsend and Assemblywoman Sheila Leslie at the Legislative building in room #2125.

Meeting adjourned.

Respectfully submitted,

Ike Cress Recording Secretary